

2003 DRAFTING REQUEST**Bill**Received: **05/22/2003**Received By: **mshovers**Wanted: **As time permits**

Identical to LRB:

For: **Donald Friske (608) 266-7694**By/Representing: **Tim Gary**This file may be shown to any legislator: **NO**Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Friske@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Regional planning commission and county development plans are subject to town board approval


Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							Local
/1	mshovers 08/06/2003	kgilfoy 08/14/2003	pgreensl 08/15/2003		lemery 08/15/2003	lemery 09/04/2003	

FE Sent For:


At Intro.

08/15/2003 08:39:47 AM

Page 1

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/?	mshovers	11 King 8/14	8/15 PS	8/15 PS			

FE Sent For:

<END>

Tim - Friske

allow towns to object

to stop a RPC ~~or~~ ~~that~~ ^{county planning commission}

from making any changes that
will affect the town

RPC & County Planning comm

must submit their final plan
to all towns w/in juris -- if town's
plan is altered ~~or~~ changed at
any time, town board must approve
before the plan can take effect



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2788/

MES... King

RMK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

NOTE

gln

- 1 AN ACT ...; relating to: subjecting a county development plan to town board
2 approval.

Analysis by the Legislative Reference Bureau

Under current law, a county zoning agency may direct the preparation of a county development plan, or parts of the plan, for the physical development of the towns within the county and areas within the cities and villages in the county whose governing bodies agree to having their areas included within the county's development plan. Before a county development plan, or an amendment to a plan, may take effect, it must be adopted by the county board. Upon its adoption, it applies to the towns within the county and to the cities and villages in the county that have agreed to be covered by the county's plan.

Under this bill, no county development plan, in whole or in part, nor an amendment to the plan, may take effect in a town unless that town's board approves the county board's action.

FE-L

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 59.69 (2) (f) of the statutes is amended to read:
4 59.69 (2) (f) Whenever a county development plan, part thereof, or amendment
5 thereto is adopted by, or a zoning ordinance or amendment thereto is enacted by, the

board, a duplicate copy shall be certified by the clerk and sent to the municipal clerks of the municipalities affected thereby. No county development plan, part thereof, or amendment thereto that is adopted by a county board under this section may take effect in a town unless it is approved by that town's board. ~~the plan~~

History: 1971 c. 40 s. 93; 1971 c. 86, 224; 1973 c. 274; 1977 c. 205; 1979 c. 233 ss. 2 to 5, 7 and 8; 1979 c. 323; 1981 c. 341, 354, 374; 1983 a. 192 s. 303 (1); 1983 a. 410; 1983 a. 532 s. 36; 1985 a. 29, 136, 196, 281, 316; 1987 a. 161, 395; 1989 a. 80, 201; 1991 a. 255, 269, 316; 1993 a. 16, 27, 246, 327, 400, 446, 491; 1995 a. 27 ss. 9130 (4), 9126 (19); 1995 a. 201 s. 475; Stats. 1995 s. 59.69; 1995 a. 225 s. 174; 1995 a. 227; 1997 a. 3, 35; 1999 a. 9, 148, 185; 2001 a. 16, 30, 50, 105.

SECTION 2. Initial applicability.

(1) This act first applies to a county development plan, part thereof, or amendment thereto that is adopted by a county board on the effective date of this subsection.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2788/1dn

MES...*King*

Representative Friske:

Your instructions were to subject a regional planning commission master plan and a county development plan to town board approval before either plan could take effect in a town. This bill applies only to counties because, under current law, an RPC's master plan is only advisory. It is up to the cities, villages, towns, and counties in the RPC's jurisdiction to decide whether they want to adopt any part of the RPC's master plan. Please see s. 66.0309 (8) (a) 2. and (10).

① In addition, s. 66.0309 (12) (a) states that: "Any local governmental unit within the region may adopt all or any portion of the plans and other programs prepared and adopted by the regional planning commission." Because an RPC's master plan is currently advisory and subject to approval by a town board, I don't believe that the RPC statutes need to be amended to effect your intent.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2788/1dn
MES:kmg:pg

August 15, 2003

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Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

Emery, Lynn

From: Gary, Tim
Sent: Wednesday, September 03, 2003 2:46 PM
To: LRB.Legal
Subject: Draft review: LRB 03-2788/1 Topic: Regional planning commission and county development plans are subject to town board approval

It has been requested by <Gary, Tim> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2788/1 Topic: Regional planning commission and county development plans are subject to town board approval